

## **Remarks**

### **Claim rejections 35 USC § 112**

Claims 23, 26, 34 and 40 have each been amended to provide antecedent basis for the terms “the contact center”.

In claim 23, it is submitted that there is already adequate antecedent basis in line 9 for “said contact”, which refers to “a contact” introduced earlier in the claim.

Claim 27 has been amended to refer to “said contact status request” rather than “said request”.

Claim 35 has been amended to refer to “said contact identifier” rather than “said identifier” or “the identifier”.

### **Claim rejections 35 USC § 101**

Claims 12, 22 and 33 have been amended to recite a computer readable medium as part of the computer program product, and it is submitted that this renders the subject-matter statutory.

### **Claim rejections 35 USC § 103**

#### **Claims 1-4 and 9-18**

Claim 1 has been amended to include the subject matter of claim 6 (from which the allowable claims 7 and 8 depend). Corresponding amendments have been made in independent claims 12-15, and the submissions which follow therefore apply equally to each of claims 1-4 and 9-18.

It was argued in the Office Action that, regarding claim 6, Brown discloses that “the caller is able to see where he or she is placed on the queue on the web page while on hold (column 6, lines 51-61)”. It is respectfully submitted that disclosure of such a feature has no bearing on original claim 6, which related to an entirely different set of features.

Original claim 6 (and now claim 1), requires firstly, that the controls presented on the web page to the user-on-hold include a control which generates a command effective to terminate a communications session involving the contact; and secondly, the provision of a new communication from the user to the contact center via the web page or a linked web page.

The only control provided by Brown is a control allowing a user to pause the contact's hold position for a limited period of time. The call (communications session) remains connected to the contact center and is not terminated, as the mechanism is simply one which allows a user to "step away from the phone", and does not involve hanging up (col. 1, lines 46-50). The mechanism provided by Brown operates for a user during the existence of a single, uninterrupted call, which is not terminated and is not replaced by a new communication from the user to the contact center via the web page.

Applicants have diligently looked for, but been unable to locate, any disclosure of the features of original claim 6 in Brown or in Stahura, and it is respectfully submitted that a combination of original claims 1 and 6 is therefore patentable.

Thus, claims 1-4, and 9-18 are patentable for the reasons given above.

### **Claims 7 and 8**

These claims were indicated to be allowable in the Office Action, although there was also a rejection made against claim 7.

However, it is believed that the rejection appeared as a result of an error, both because the claim was explicitly stated to be allowable and, as with the rejection of claim 6, the reasoning given ("The caller can have a callback to a video phone, column 6, lines 51-61") does not appear to be even *prima facie* relevant to the features of claim 7 ("said contact is associated with a real time communications session between the user and the contact centre, and the new communication is an email or form submission generated by the user from the web page or a page linked to the web page").

For the record, and in the event that the passage at column 6, lines 51-61 is intended to be relied on against this or any other claim in a future office action, Applicants point out that there is no disclosure of "callback to a video phone" in Brown as alleged, either in this passage or anywhere else. Brown mentions a video phone only to say that the menu shown in Fig. 4 may be provided to the caller in audible form, or on the screen of a video phone. No callback (or call termination) is ever contemplated by Brown.

### **Claim 19**

The Examiner kindly indicated the allowability of claim 21 if it was rewritten in independent form to incorporate the subject-matter of original claim 19 and the intervening claim 20. Accordingly claim 19 has been amended to incorporate claims 20 and 21 and is therefore allowable.

### **Claims 22-40**

No rejection was raised to claims 22-28, 32-35 and 38-40 under 35 USC 103.

Nevertheless as regards claims 22-26, for consistency with amended claim 19 Applicants have amended claims 22, 23 and 26 to include subject matter equivalent to that of original claim 21, which was explicitly indicated to be allowable (and thus dependent claims 24 and 25 also inherently include the same features).

As regards claims 27, 28, 32-35 and 38-40, for consistency with amended claim 1 Applicants have amended independent claims 27, 33, 34, 35, 39 and 40 to recite features equivalent to those of original claim 6, discussed above, and thus these claims ought to be allowable for the reasons given above in relation to claim 1, as should their dependent claims..

### **New claims 41-43**

New claims 41-43 are claims to a method, program and system respectively, equivalent to a combination of original claims 1 and 5.

Claim 5 was rejected based on the following reasoning derived from Brown: "The caller's hold position is paused for managing time while on hold, column 5, lines 38-42".

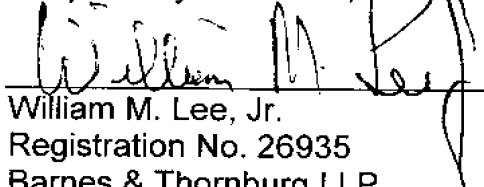
Original claim 5 (and now claims 41-43), however, did not mention pausing a hold position or managing time on hold, and thus the relevance of the passage relied on is not clear to Applicants. Instead, claim 5 recited that the command (generated on activation of a web page control) is effective to switch the contact between queues in the contact centre. Brown does not disclose the use of multiple queues, and the only user controls provided to the caller in Brown's system are to request information about the hold status of the call, and to pause the queuing status. No option is provided having the effect of switching the user between queues.

In view of the amendments and arguments made herein, Applicants respectfully request that the Examiner withdraw the rejections, and allow the application.

An appropriate Petition for Extension of Time is also submitted herewith.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", written over a horizontal line.

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